



Atty. Dkt. No. 072982-0253

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Mika FUJII et al.  
Title: PORTABLE INFORMATION  
TERMINAL EQUIPMENT  
Appl. No.: 10/693,920  
Filing Date: 10/28/2003  
Examiner: Unassigned  
Art Unit: 2681

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

Documents A3-A6 on the attached PTO/SB/08 were cited as being relevant during the prosecution of a counterpart Japanese patent application, specifically in a Japanese Office Action that issued August 2, 2005. Document A2 is the U.S. counterpart of Document A6. JP 2002-281116, which was also cited in the Japanese Office Action, was submitted in the present application in an Information Disclosure Statement filed on December 29, 2003, and thus is not submitted again. An English translation of the foreign-language documents is not readily available. However, the absence of such translation does not relieve the PTO from its duty to consider the submitted foreign language documents (37 CFR §1.98 and MPEP §609). English language abstracts of the foreign language documents are provided for the Examiner's convenience.

A translation of a portion of the Japanese Office Action that issued August 2, 2005, with respect to the counterpart Japanese patent application, is provided below:

Claims: 1 through 16

Cited literature: 1 through 5

Remarks: Cited Literature 1 describes how a folding portable telephone is opened and closed electrically in response to an incoming call, while Cited Literature 2 describes how the manner of vibration of a vibrator is controlled by comparing a calling telephone number to registered telephone number information. Modifying the manner of opening and closing of the portable telephone described in Cited Literature 1 in accordance with the calling telephone number is something which could be easily conceived of by a person skilled in the art.

Furthermore, Cited Literature 3 describes the point of repeatedly performing opening and closing operations, Cited Literature 4 describes a portable telephone which is axially supported on and rotates about an axis of rotation substantially perpendicular to the display surface, and Cited Literature 5 describes a sliding-type portable telephone. Application to these is also a matter which could be accomplished as appropriate by a person skilled in the art.

#### List of Cited Literature

1. Japanese Unexamined Patent Application Publication 2002-281116 (see paragraphs 9, 10, 22, 23, and 26, and Figures 1 through 4)
2. Japanese Unexamined Patent Application Publication H11-187087 (see paragraphs 11, 18, and 19)
3. Japanese Unexamined Patent Application Publication 2002-271464 (see paragraphs 1, 4, and 5, and Figure 2)
4. Japanese Unexamined Patent Application Publication H07-288860 (see Figure 1)
5. Japanese Unexamined Patent Application Publication H07-312631 (see Figure 1)

#### Record of Prior Art Literature Search Results

Fields searched                      IPC 7th Edition                      H04M 1/02-1/23

Applicant's statements regarding the Japanese Office Action are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, what is asserted in the Japanese Office Action.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

#### STATEMENT

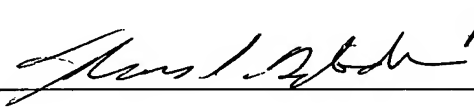
The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date September 28, 2005

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Date Submitted: September 28, 2005

(use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	10/693,920
Filing Date	10/28/2003
First Named Inventor	Mika FUJII
Group Art Unit	2681
Examiner Name	Unassigned
Attorney Docket Number	072982-0253

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A2	5,657,370		TSUGANE, et al.	08/12/1997	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A3	JP	11-187087		TOSHIBA KK	07/09/1999		A
	A4	JP	2002-271464		TAKAHASHI	09/20/2002		A
	A5	JP	7-288860		CANON KK	10/31/1995		A
	A6	JP	7-312631		NEC CORP	11/28/1995		A

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.